IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WP(C).No. 36693 of 2007(R)

PETITIONERS:

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1. TOMY JOSE, S/O. JOSEPH,
   KAPPALUMACKAL, NJANDUPARA P.O., PAIKA.

2. WILSON MATHEW,
   PATHIPPALLIL, ELIKKULAM P.O., KOTTAYAM.

BY ADV. SRI.V.K.SUNIL

RESPONDENTS:

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1. THE KERALA STATE CO-OPERATIVE ELECTION
   COMMISSION, REPRESENTED BY ITS SECRETARY,
   THIRUVANANTHAPURAM.

2. THE JOINT REGISTRAR OF CO-OPERATIVE
   SOCIETIES, KOTTAYAM.

3. THE ASSISTANT REGISTRAR OF THE CO-OP.
   SOCIETIES, KANJIRAPPALLY.

4. THE ELIKKULAM SERVICE CO-OPERATIVE
   BANK LTD.NO.K.158, REPRESENTED BY ITS SECRETARY,
   MADUKKAKKUNNU P.O., KOTTAYAM.

5. THE UNIT INSPECTOR OF CO-OPERATIVE
   SOCIETIES, OFFICE OF THE ASSISTANT REGISTRAR,
   KANJIRAPPALLY, (THE RETURNING OFFICER OF THE
   ELIKKULAM SERVICE CO-OP. BANK.)

ADDL. 6. C.K.CHANDRADAS, MATTATHINGAL,
KOORALI.P.O.

" 7. MALLIKA CHANDRA BABU, ERIKKAT,
KOORALI.P.O.

(ADDL. RESPONDENTS 6 & 7 ARE IMPLEADED AS PER ORDER DT.18-12-2007 IN I.A.NO.16865/2007)

R1 TO R3 & R5 BY GOVT.PLEADER SMT.ANU SIVARAMAN.
R4 BY ADV. SRI.A.ANTONY
SMT.LEELAMMA ANTONY
R6 & R7 BY ADV.SRI.P.V.JYOTHI PRASAD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.36693 of 2007-R

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Dated this the 18th day of December, 2007.

JUDGMENT

The disputes in this writ petition relate to an election scheduled on 23-12-2007. The question as to whether the voters' list has been properly maintained cannot be opened up at this point of time. It will also be not in the interest of the institution to interfere with the election proceedings, as of now. Hence, without prejudice to the contentions in appropriate forum, this writ petition is closed. However, this judgment will not stand in the way of the Joint Registrar considering Ext.P4 in accordance with law.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

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